

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:22-CV-00056-KDB-SCR**

**LVA INVESTMENTS, LLC AND
LANGTREE PROPERTIES, LLC ,**

Plaintiffs,

v.

RSR SYCAMORE II, LP,

Defendant.

ORDER

THIS MATTER is before the Court *sua sponte*. On January 26, 2023, the Court was informed that this case had been settled at mediation, Doc. No. 20, and the parties were given until February 27, 2023, to finalize the settlement. However, no further filings were made, despite reminders from the Court. Then, on May 22, 2023, the Court entered a “final Order” directing the parties to file a Stipulation of Dismissal within ten days and further ordering that if no Stipulation of Dismissal was filed, the case would proceed to trial with pretrial submissions due as required by the Pretrial Order and Case Management Plan. *See* Text Order dated May 22, 2023, Doc. No. 11. Again, the Court’s deadlines have come and gone with neither a Stipulation of Dismissal nor any pretrial submissions filed. In sum, the Court has set multiple clear deadlines for this case to either be voluntarily closed or litigated. All these deadlines not only remain unmet but have passed without any explanation. Accordingly, the Court concludes that the Parties no longer intend to pursue this action, and it should be dismissed without prejudice.

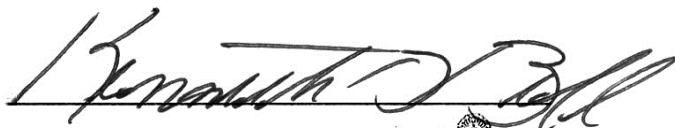
NOW THEREFORE IT IS ORDERED THAT:

1. This action is dismissed without prejudice; and

2. The Clerk is directed to close this matter in accordance with this Order.

SO ORDERED ADJUDGED AND DECREED.

Signed: June 22, 2023

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

